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FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 5, 2015**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Miles Madden, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 4, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 5, 2015

The JUDICIARY AND RULES Committee reports that [S 1039](#) has been correctly printed.

HAGEDORN, Vice-Chairman

[S 1039](#) was referred to the Transportation Committee.

February 4, 2015

The JUDICIARY AND RULES Committee reports that [S 1002](#) and [S 1003](#) have been correctly enrolled.

HAGEDORN, Vice-Chairman

The President signed Enrolled [S 1002](#) and [S 1003](#) and ordered them transmitted to the House for the signature of the Speaker.

February 4, 2015

The JUDICIARY AND RULES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Cassandra Jones as the Executive Director of the Commission on Pardons and Parole, term to expire January 7, 2019.

HAGEDORN, Vice-Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 5, 2015

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 27](#) and [H 28](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 27](#) and [H 28](#) were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 4, 2015

Dear Mr. President:

I return herewith [S 1012](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1012](#) was referred to the Judiciary and Rules Committee for enrolling.

February 4, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 26](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 26](#) and ordered it returned to the House.

Senator Cameron was recorded present at this order of business.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of John Chatburn was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator McKenzie, seconded by Senator Werk, the Gubernatorial reappointment of John Chatburn as the Administrator of the Office of Energy Resources was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmations of Ruthie Johnson and Sheila Olsen retained its place on the calendar for Friday, February 6, 2015.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1040

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO CRIMINAL PROCEDURE; AMENDING SECTION 19-2719, IDAHO CODE, TO CLARIFY LANGUAGE REGARDING FILING REQUIREMENTS OF CERTAIN APPEALS WHEN PUNISHMENT OF DEATH HAS BEEN IMPOSED.

S 1041

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE SEXUAL OFFENDER REGISTRATION AND NOTIFICATION ACT; AMENDING SECTION 18-8312, IDAHO CODE, TO PROVIDE AN ADDITIONAL MEMBER TO THE SEXUAL OFFENDER MANAGEMENT BOARD WHO HAS EXPERTISE IN SEXUAL OFFENDER POLYGRAPH EXAMINATION.

S 1042

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO RESIDENTIAL CARE; AMENDING SECTION 39-3340, IDAHO CODE, TO PROVIDE THAT A CHANGE OF LEASE DOES NOT REQUIRE FACILITY RELICENSING AND TO MAKE TECHNICAL CORRECTIONS.

S 1043

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO CERTIFIED FAMILY HOMES; AMENDING SECTION 39-3502, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 39-3512, IDAHO CODE, TO PROVIDE THAT MEDICAL FOSTER HOMES ARE EXEMPT FROM CERTIFICATION REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1044

**BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE**

AN ACT

RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-701A, IDAHO CODE, TO PROVIDE ADDITIONAL RESTRICTIONS ON THE USE OF EMINENT DOMAIN AND TO MAKE TECHNICAL CORRECTIONS.

S 1045

**BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE**

AN ACT

RELATING TO PORT DISTRICTS; AMENDING SECTION 70-1715, IDAHO CODE, TO REVISE REQUIREMENTS FOR AUDITS OF PORT DISTRICTS AND TO MAKE A TECHNICAL CORRECTION.

S 1040, S 1041, S 1042, S 1043, S 1044, and S 1045 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1015 and **S 1016**, by Transportation Committee, were read the second time at length and filed for third reading.

S 1018, S 1019, and S 1021, by Education Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 41 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 31.

NAYS—None.

Absent and excused—Bair, Davis, Nonini, Thayn. Total - 4.

Total - 35.

Whereupon the President declared **H 41** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11 a.m., Friday, February 6, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary